

BP-A0288
JAN

INCIDENT REPORT

U.S. DEPARTMENT OF JUSTICE

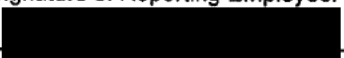

FEDERAL BUREAU OF PRISONS

Part I - Incident Report

1. Institution: MCC Chicago		Incident Report Number: 3281049	
2. Inmate's Name: Kelly, Robert	3. Register Number: 09627-035	4. Date of Incident: 07-18-2019	5. Time: 6:00PM
6. Place of Incident: Holding cells in SHU	7. Assignment: SHU UNASSG.		8. Unit: 11 (Z)
9. Incident: Refusing to work or program. Refusing to obey an order.		10. Prohibited Act Code(s) 306,307	

11. Description of Incident (Date: 07/18/2019 Time: 6:00 PM, Staff became aware of incident):

On 07-18-2019 at approximately 6:00 PM I placed inmate Kelly, Robert REG NO. 09627-035 in the SHU holding cells. I gave him a direct order to take a cellmate in which he refused. I advised him what was going to happen if he refused and he stated he understood.

12. Typed Name/Signature of Reporting Employee: 		13. Date And Time: 07/18/2019 9:20PM	
14. Incident Report Delivered to Above Inmate By (Type Name) 	15. Date Incident Report Delivered: 7-19-2019	16. Time Incident Report Delivered: 10:00/AM	

Part II - Committee Action

17. Comments of Inmate to Committee Regarding Above Incident:

THIS IS TRUE.

18. A. It is the finding of the committee that you: <input checked="" type="checkbox"/> Committed the Prohibited Act as charged. <input type="checkbox"/> Did not Commit a Prohibited Act. <input type="checkbox"/> Committed Prohibited Act Code(s) _____	B. <input type="checkbox"/> The Committee is referring the Charge(s) to the DHO for further Hearing. C. <input checked="" type="checkbox"/> The Committee advised the inmate of its finding and of the right to file an appeal within 20 calendar days.
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19. Committee Decision is Based on Specific Evidence as Follows:

BASED ON REPORT AS WRITTEN AND OWN ADMISSION

20. Committee action and/or recommendation if referred to DHO (Contingent upon DHO finding inmate committed prohibited act):

**30 LOSS OF EMAIL SUSPENDED
90 DAYS CLEAR CONDUCT**

21. Date and Time of Action: **7-22-2019** (The UDC Chairman's signature certifies who sat on the UDC and that the completed report accurately reflects the UDC proceedings).

Chairman (Typed Name/Signature)

Member (Typed Name)

Member (Typed Name)

INSTRUCTIONS: All items outside of heavy rule are for staff use only. Begin entries with the number 1 and work up. Entries not completed will be voided by staff.

Distribute: Original-Central File Record; COPY-1-DHO; COPY-2-Inmate after UDC Action; COPY 3-Inmate within 24 hours of Part I Preparation

Part III - Investigation

22. Date And Time Investigation Began
07/19/2019 09:05 a.m.

23. Inmate Advised Of Right To Remain Silent: You are advised of your right to remain silent at all stages of the discipline process. Your silence may be used to draw an adverse inference against you at any stage of the discipline process. Your silence alone may not be used to support a finding that you have committed a prohibited act.

The Inmate Was Advised Of The Above Right By

At (Date/time) 07/19/2019 09:10
a.m.

24. Inmate statement and attitude

Inmate Kelly, Robert Reg. #09627-035, was identified, provided a copy of this incident report and verbally advised of his rights. Inmate Kelly was read section 11 and given opportunity to make a statement. Inmate Kelly stated I was told that I didn't have to take a cellie and I have too much going to worry about incident report.

Inmate Kelly displayed a poor attitude throughout this investigation.

25. Other facts about the incident, statements of those persons present at scene, disposition of evidence, etc.

No other facts or witness were disclosed on behalf of inmate Kelly.

Staff Representative-none requested

Evidence-none

Attachments

PP44

PD15

26. Investigator's comments and conclusions

Based on this report as written and supporting documentation it is the conclusion of this investigator that the report is true and the inmate is properly charged.

27. Action taken

Refer this report to the Unit Disciplinary Committee for further review / action.

Date and Time Investigation Completed

07/19/2019 12:05 p.m.

Printed Name/Signature Of Investigator

Title Lieutenant